

DISTRIBUTION ORDER
DUCHESNE RIVER SYSTEM

On April , 1991, the district court approved the interim distribution order for the Duchesne River for the 1991 irrigation season. As part of the distribution order, it allows water users to enter into a contract with the Central Utah Water Conservancy District to temporarily regulate water in Starvation Reservoir. The reason that the State Engineer recommended this provision to the court is to improve water use efficiency and allow the opportunity for the water users to obtain their full diversion entitlement.

To ensure that the water is distributed equitably, the State Engineer is directing the Duchesne River and Strawberry River system commissioner to administer the regulation of direct flow rights through Starvation Reservoir under the following conditions and guidelines:

- 1) Any water user wishing to participate in this program must have an adequate measuring device and control structure so that the commissioner can regulate, measure and account for the water delivered to each water user or canal. The commissioner shall approve the acceptability of all measuring devices and control structures.
- 2) The water user must have a written agreement with the Central Utah Water Conservancy District allowing for the

temporary regulation of water in Starvation Reservoir.

- 3) Water users will only be allowed to regulate water through Starvation Reservoir during those periods that direct flow water would have been physically available to their water right under the distribution schedule. In addition, the water user must have had the means and need to use the water beneficially.
- 4) In administering this provision of the distribution order, the objective is to improve overall water use efficiency. Instances when this provision may be applied are:
 - During the early and later part of the irrigation season when the allowable flows under the delivery schedule are low.
 - During the irrigation season when the water user is cutting hay or harvesting crops.
 - Under emergency conditions when the water users diversion facilities or canal are in need of repair.
- 5) Water shall not be held in Starvation Reservoir longer than two weeks.

- 6) Water users must contact the commissioner 24 hours before holding water in Starvation Reservoir and they shall notify him 24 hours prior to any releases of such regulated water.

The river commissioner will be responsible to account for all water being regulated through Starvation Reservoir and show such data in his annual report. If requests are made which are outside the guidelines set forth above, all such requests shall be submitted in writing to the State Engineer for his consideration.

Appeal Paragraph